

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

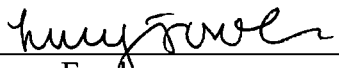
IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
<hr/>		
THIS DOCUMENT RELATES TO:)	
International Union of Operating)	Hon. Patti B. Saris
Engineers, Local No. 68 Welfare)	
Fund v. AstraZeneca PLC et al.)	
Civil Action No. 04-11503-PBS)	
)	

**Declaration of Lucy Fowler in Support of the Supplemental
Memorandum of Law in Opposition to Plaintiffs' Motion For Remand**

I, Lucy Fowler, hereby declare that:

1. I am an associate at Foley Hoag LLP, which serves as counsel to defendant AstraZeneca Pharmaceuticals LP in the above-captioned litigation.
2. This declaration is submitted in support of the Supplemental Memorandum of Law in Opposition to Plaintiffs' Motion For Remand.
3. Attached as Exhibit 1 is a true and correct copy of the Certification of Thomas P. Giblin (Exhibit B to Haviland Certification in Support of Order to Show Cause).
4. Attached as Exhibit 2 is a true and correct copy of Letters from Donald E. Haviland, Esq. to Defense Counsel of 6/30/03 (Exhibit A to Reply Brief in Support of Plaintiff's Motion for Remand).

5. Attached as Exhibit 3 is a true and correct copy of the Affidavit of D. Scott Wise, Esq. in Opposition to Plaintiff's Motion for Remand, dated May 4, 2005.
6. Attached as Exhibit 4 is a true and correct copy of the Notice of Removal, filed on July 3, 2003.
7. Attached as Exhibit 5 is a true and correct copy of the Notice of Subpoena ad Testificandum and Duces Tecum, dated July 14, 2003.
8. Attached as Exhibit 6 is a true and correct copy of the Affidavit of Donald E. Haviland, Jr., Esq. in support of Plaintiff's Motion for Remand.
9. Attached as Exhibit 7 is the Settlement Agreement, filed on August 27, 2002, in *Stetser v. TAP Pharm. Prods., Inc.*, No. 1-CV-5268 (N.C. Gen. Ct. of Justice Super. Ct. Div. filed Dec. 27, 2001) (Exhibit M to Declaration of Marielena Piriz in Opposition to Plaintiff's Motion for Remand).

By: 

Lucy Fowler
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02110

Dated: May 6, 2005
Boston, MA